IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1955 OF 2003

Pune Municipal Corporation ....Petitioner
V/s.
Ashok Nahar Jog ....Respondent

Mr.R.G. Ketkar for the Petitioner.
Mr.S.N. Chandrachood for Respondent No.1.

CORAM : S.J. VAZIFDAR, J.
DATED : 26TH FEBRUARY, 2007.

P.C. :

1. Leave to amend by furnishing a complete copy of the impugned order and Exhibit "J". The amendment to be carried out within two weeks from today.

2. Rule. Rule returnable and heard forthwith.

3. Mr.Chadrachood, the learned counsel appearing on behalf of Respondent No.1 makes a statement that the suit in which the impugned order has been passed, has been decreed in favour of the Respondents and that the Second Appeal filed by the Petitioner against the judgment and decree is pending. He therefore, submits that the Writ Petition does not survive. Mr.Ketkar, the learned counsel appearing on behalf of the

Petitioner disputes this statement.

4. Mr.Chandrachood, in view of his statement, is agreeable to the following order :-

> In view of Mr.Chandrachood’s statement, the Writ Petition is dismissed. It is further clarified that Mr.Chandrachood agrees that in the event of the statement being incorrect, the impugned order dated 9.3.2000 (Exhibit "J") shall operate.

5. The Writ Petition is accordingly disposed of.